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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,419	03/12/2004	Mark Jolley	82550	7055
22242	7590	11/03/2004	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406				ESTRADA, ANGEL R
		ART UNIT		PAPER NUMBER
		2831		

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/800,419	JOLLEY, MARK
	Examiner Angel R. Estrada	Art Unit 2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-12 is/are allowed.
- 6) Claim(s) 13-16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 23 August 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/23/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) filed August 23, 2004 has been considered by the Examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hill (US 4,640,564).

Regarding claim 13, Hill discloses a cover (2) for a socket of an electrical outlet (see figure 1), the cover (2) comprising: a substantially planar frame (see figure 1, defined by reference numbers 16 and 30) having at least one opening (20) generally aligned with the socket of the electrical outlet (see figure 2), at least one door (46) shiftable between a blocking position generally blocking access to the opening and an open position generally permitting access to the opening (column 6 lines 18-35); locking means (see figure 1 or column 6 line 18-column 7 line 36) movable between a locking position substantially preventing shifting of the door from the blocking position to the open position and an unlocking position permitting shifting of the door from the blocking position to the open position (see figure 1), actuator means (64) movable in a shifting

direction to move the locking means from the locking position to the unlocking position (column 7 lines 12-21), and translation means (54) movable in a translation direction to shift the door (46) from the blocking position to the unblocking position (column 6 lines 52-55).

Regarding claim 14, Hill discloses a cover (2) for a socket of an electrical outlet (see figure 1), the cover (2) comprising a frame (see figure 1, defined by reference numbers 16 and 30) having an opening (20) positioned to be alignable with the socket of the closes electrical outlet (see figure 2); a door (46) shiftable between a blocking position generally blocking access to the opening and an open position generally permitting access to the opening (column 6 lines 18-35); and a locking mechanism (see figure 1) operable connected to the door (46), the locking mechanism (see figure 1 or column 6 line 18-column 7 line 36) movable between a locking position substantially preventing shifting of the door from the blocking position to the open position and an unlocking position permitting shifting of the door (46) from the blocking position to the open position (column 7 lines 12-21), the movement of the locking mechanism (see figure 1) from the locking position to the unlocking position requiring disengagement of a locking element (64) of the locking mechanism from a locking feature while generally simultaneously requiring translation of a translation element (54) operably connected to the door (46) to shift the door from the blocking position to an unblocking position (column 3 lines 42-51 or column 4 lines 55-59).

Regarding claim 15, Hill discloses the cover (2) for a socket of an electrical outlet (see figure 1), wherein a spring member (58) is operably connected to the frame (16, 30) and the door (46) to bias the door to the blocking position (column 6 lines 52-55).

Regarding claim 16, Hill discloses the cover (2) for a socket of an electrical outlet (see figure 1), wherein the frame (16, 30) includes two openings (see figure 1) and a separate door (46) is provided for each opening (see figures 1 or 3).

Allowable Subject Matter

3. Claims 1-12 are allowed.

The following is an examiner's statement of reasons for allowance: The primary reason for the indication of the allowability of claims 1-12 is:

Regarding claims 1-12, the prior art does not teach or fairly suggest in combination with the other claimed limitation of a cover for a socket of an electrical outlet comprising an actuator element of the locking mechanism movable in a shifting direction for movement of the locking mechanism from the locking position to the unlocking position, the shifting direction being generally perpendicular to the plane of the frame, and a translation element of the locking mechanism movable in a translation direction for shifting of the door from the blocking position to the unblocking position, the translation direction being generally parallel to the plane of the frame.

This limitation is found in claims 1-12, and is neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patterson, Jr. (US 5,998,735), McBain et al (US 6,794,575), Blaess (US 6,545,218), Shoemaker (US 6,222,125), Barla (US 5,240,426), Engel et al

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(US 4,925,755), Kneip (US 2,988,242) and Dola (US 3,865,456) disclose a cover for socket of an electrical outlet.

5. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 28, 2004

Angel R. Estrada
Angel R. Estrada
Patent Examiner
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